



Entered on Docket
July 09, 2010

A handwritten signature in black ink, appearing to read "Gregg W. Zive", is written over a horizontal line.

Hon. Gregg W. Zive
United States Bankruptcy Judge

NICHOLAS STROZZA, ASSISTANT U.S. TRUSTEE
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Attorneys for Acting United States Trustee
Sara L. Kistler

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

MEL LINDSEY PHENICIE

Debtor

Case no: BK-N-10-51862-GWZ
Chapter: 7

STIPULATION TO DISMISS
BANKRUPTCY CASE
& ORDER DISMISSING CASE

Hearing Date: n/a
Hearing Time: n/a

Trustee Angelique L.M. Clark, the Acting United States Trustee, by and through her attorney Nicholas Strozza, and Mel Lindsey Phenicie, appearing pro se, hereby stipulate to the following facts and request entry of this Order dismissing this case.

1. The Debtor, Mel Lindsey Phenicie, filed a chapter 7 bankruptcy case in the District of Nevada on May 14, 2010, designated as case BK-N-10-51862-GWZ.

2. The Debtor failed to obtain credit counseling as required pursuant to 11 U.S.C.

1 §109(h)(1), during the 180-day period preceding the date of filing for bankruptcy relief from an
2 approved credit counseling agency.

3 3. Based upon the requirements of 11 U.S.C. §109, the Debtor is not entitled to be a
4 debtor under title 11 of the United States Code.

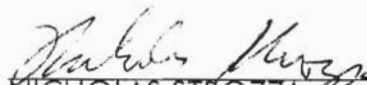
5 4. Trustee Angelique L. M. Clark, the Acting U.S. Trustee and the Debtor stipulate to
6 dismissal of this bankruptcy case without prejudice, prior to entry of a discharge in this matter.
7

8 DATED this ____ day of June, 2010

DATED this ____ day of June, 2010

9 OFFICE OF THE UNITED STATES TRUSTEE

MEL LINDSEY PHENICIE

10 
11 NICHOLAS STROZZA
12 Attorney for the Acting United States Trustee

10 
11 By: MEL LINDSEY PHENICIE
12

13 DATED this ____ day of June, 2010

14 TRUSTEE ANGELIQUE L. M. CLARK

15 
16 TRUSTEE ANGELIQUE L. M. CLARK
17

18 Pursuant to the above stipulation, and good cause appearing,
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20 IT IS HEREBY ORDERED that this case is **DISMISSED** without prejudice, and, the
21 limitations on the automatic stay and the presumption of lack of good faith, as provided by 11
22 U.S.C. § 362(c)(3), shall not apply if the Debtor refiles for relief under the Bankruptcy Code.
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